

Appl. No. 10/030,448
Amdt. dated November 18, 2005
Reply to Office action of July 18, 2005

REMARKS

Reconsideration is respectfully requested. Claims 1-9 were present in the application. No claim is amended herein. New claims 10-12 are added. Claims 4-7 are allowed.

Claims 1-3, 8 and 9 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim, U.S. 6,563,929, in view of Brownscombe et al (EPO 0 850 982).

Applicants respectfully traverse.

The main reference, Kim, U.S. 6,563,929, is not a valid as a prior art reference to be cited against this application. Kim was filed after the effective U.S. filing date of this application. Because this application is a national phase entry into U.S. of a PCT application, the effective filing date in the U.S. is the International Filing Date, which is October 3, 2000. Kim was filed in the U.S. after that date, and has an effective date of August 10, 2001, as a reference. So it does not qualify as prior art with respect to this present application.

Since the Kim patent was filed after the applicants' PCT filing date, it cannot be a reference against this application.

With Kim removed as a reference, that leaves only Brownscombe et al (EPO 0 850 982) as the document used to reject the claims. Applicants note that Brownscombe has neither description nor suggestion that the polymer is used as a speaker cone, and thus it cannot make the claims obvious. There is no

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description and no suggestion in Brownscombe to use the polymer as a speaker cone and that your applicants' function of the polymer cone is quite different from the polymer of Brownscombe, which is intended to attenuate sound. Also applicants note that the technical field is quite different in Brownscombe.

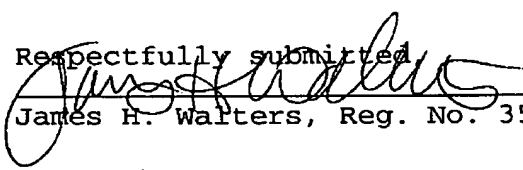
Applicants also add new claims with the "extent of foaming" ranges cited that add the limitations of the extent of foaming is substantially 3.8 to 5.4 for polyethylene terephthalate and substantially 4 for polyethylene naphthalate. Support for these claims is found in the specification as filed in Table 1 on page 2, for example.

The Examiner also requests that on page 4 of the specification, that item 82 be changed to item 81 where it is referring to the induction coil. We thank the Examiner for noting this point and have made the amendment accordingly.

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In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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